IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor:

James J. Nicholas, III

Application. No.:

10/029,887

Confirm. No.:

6031

Filed:

December 20, 2001

Title:

NON-INTRUSIVE INTERACTIVE

NOTIFICATION SYSTEM AND METHOD

PATENT APPLICATION

Art Unit:

2154

Examiner:

Customer No

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Larry T. Harris, Reg. No. 44/745 Signature Date: November 10, 2003 (Attorney Signature)

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Respectfully submitted

Larry T. Harris Reg. No. 44,745

FLIESLER DUBB MEYER & LOVEJOY LLP

Four Embarcadero Center, Fourth Floor San Francisco, California 94111-4156

Telephone (415) 362-3800

Attorney Docket No.: TNPR-01008US0

mcf/tnpr/1008.002.wpd

- 1 -

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V. Vu

Customer No. 23910

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(Attorney Signature)

Larry T. Harris, Reg. No. 44 Signature Date: November 10, 2003

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

<u> </u>	Forms PTO/SB/08A and PTO/SB/08B. The Examiner is requested to initial these forms and return
	them to the undersigned in accordance with M.P.E.P. §609.

Copies of PCT International Search Reports dated November 2, 2001 and April 15, 2003.

The present application is being/was filed after June 30, 2003. In accordance with the pre-official gazette waiver of 37 CFR 1.98 (a)(2)(i) posted at: pac/dapp/opla/preognotice/idswouscopies.htm, copies of cited U.S. patents and publications are not enclosed. However, copies of cited foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98(a)(2), as still required, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an Information Disclosure Statement submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

Attorney Docket No.: TNPR-01008US0 mcf/tnpr/1008.001 ids.wpd

The present application was filed prior to June 30, 2003. A copy of each cited document as required ✓ by 37 C.F.R. §1.98 is enclosed, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an Information Disclosure Statement submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1). If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3). PTA Statement under 37 C.F.R. §1.704(d). Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement. This statement should be considered because: 37 C.F.R. §1.97(b). This statement qualifies under 37 C.F.R. §1.97, subsection (b) because: (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d); -- OR --It is being filed within 3 months of entry of a national stage; (2) -- OR --It is being filed before the mailing date of the first Office Action on the merits, (3) -- OR --(4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114. 37 C.F.R. §1.97(c). Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because: It is being filed before the mailing date of a FINAL Office Action, a Notice of (1) Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first. -- AND (check at least one of the following) --(1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e). (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

- _ 37 C.F.R. §1.97(d). Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:
 - (1) It is being filed on or before payment of the Issue Fee;

-- AND --

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-- AND --

- (3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).
- ✓ Fee Authorization. The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER DUBB MEYER & LOVEJOY LLI

Date: 11/10/03

Larry T. Harris

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PTO/SB/08A (02-03)

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Complete if Known					
Application Number	10/029,887				
Filing Date	12/20/01				
First Named Inventor	James J. Nicholas, III				
Art Unit	2154				
Examiner Name	V. Vu				
Attorney Docket Number	TNPR-01008US0				

			U. S. PATENT D	OCUMENTS		
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		^{US-} 5,819,038	10/06/98	Carleton et al.	summary, col. 3 lines 36-64, claims 3 &	
		^{US-} 5,966,691	10/12/99	Kibre et al.	cols. 1-8	
		^{US-} 5,886,697	03/23/99	Naughton et al.	cols. 7-12, cols. 15-19	
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1		Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages]	
		Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	Τ'		
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Attorney Docket No.:	TNPR-01008US0

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DENTASION	e 101 101111 1443/F1O			Application Number	10/029,887		
INFO	ORMATION	I DIS	CLOSURE	Filing Date	12/20/01		
STA	STATEMENT BY APPLICANT			First Named Inventor	James J. Nicholas, III		
(Use as many sheets as necessary)				Art Unit	2154		
(Ose as many sneets as necessary)			ecessary)	Examiner Name	V. Vu		
Sheet	2	of	2	Attorney Docket Number	TNPR-01008US0		

		OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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